

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**SHANE SPEROW,**  
**Plaintiff,**

**v.**

**BERKS COUNTY SHERIFF'S  
DEPARTMENT, et al.,  
Defendants.**

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**CIVIL ACTION NO. 20-CV-1495**

**ORDER**

AND NOW, this 8th day of May, 2020, upon consideration of Shane Sperow's Motion to Proceed *In Forma Pauperis* (ECF No. 1), Prisoner Trust Fund Account Statement (ECF No. 3), and *pro se* Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. Shane Sperow, #MT-0805, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Superintendent of SCI-Waymart or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Sperow's inmate account; or (b) the average monthly balance in Sperow's inmate account for the six-month period immediately preceding the filing of this case. The Superintendent or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Sperow's inmate trust fund account exceeds \$10.00, the Superintendent or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Sperow's inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

3. The Clerk of Court is directed to **SEND** a copy of this Order to the Superintendent of SCI-Waymart.
4. The Complaint is **DEEMED** filed.
5. Sperow's Complaint is **DISMISSED** in its entirety for the reasons stated in the Court's accompanying Memorandum as follows:
  - a. Sperow's federal claims are **DISMISSED WITH PREJUDICE** as time-barred; and
  - b. Sperow's state claims are **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.
6. The Clerk of Court shall **CLOSE** this case.

**BY THE COURT:**

**/S/ JOHN R. PADOVA**

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**JOHN R. PADOVA, J.**